

July 21, 2011

State Court Administrator:

The new proposed order 7.3 is no better than the old proposed order. The 30 day requirement is absurd in the context of estate planning. Consider the following common example:

As an estate planning lawyer I prepare wills and trusts. After a client dies, I would be prohibited from contacting the children of the deceased, to offer my service in probating the estate or settling the trust, perfecting a life insurance or pension claim, etc. for a period of 30 days following death. Even if I have custody of the original documents, I am prohibited from contacting the children until after 30 days.

The rule needs to be revised to take into account the realities of estate planning lawyers.

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